

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

JERRY ALLEN SATTERFIELD

CIVIL ACTION NO. 6:22-CV-06055

VERSUS

CHIEF JUDGE TERRY A. DOUGHTY

ROBINSON HELICOPTER CO INC ET AL MAGISTRATE JUDGE DAVID J. AYO

ORDER

Now before this Court is a motion to dismiss for lack of personal jurisdiction pursuant to Fed. R. Civ. Pro. 12(b)(2) filed by defendant Robinson Helicopter Co. (“Robinson”). (Rec. Doc. 6). Plaintiff Jerry Allen Satterfield (“Satterfield”) opposes the motion¹ and incorporates a motion for leave to amend the complaint. (Rec. Doc. 15, p. 3). Satterfield’s motion is vague, but on the first page of his opposition to the motion to dismiss he states as follows: “The Petition/Complaint can be amended to include factual allegations sufficient to maintain that Robinson has maintained sufficient contacts with the State of Louisiana so that personal jurisdiction can be maintained by this court.” *Id.* Although this Court questions the efficacy of presenting a motion for leave to amend in such a manner,² Satterfield’s motion is hereby GRANTED out of an abundance of caution.

In keeping with the prevailing procedure in this and a majority of courts of appeal and district courts, Robinson’s motion is, accordingly, MOOT. *See, e.g., Beroid v. LaFleur*, Civ. Act. No. 21-cv-516, 2022 WL 396165 (Jan. 24, 2022) (adopted by 2022 WL 393630 (Feb. 8, 2022); *Deshotel v. PayPal, Inc.*, Civ. Act. No. 19-cv-0373, 2019 WL 4010992 (W.D. La. Aug. 22, 2019); *Probado Technologies Corp. v. Smartnet, Inc.*, 2010 WL 918573, *1 (S.D. Tex. Mar. 12,

¹ Satterfield filed a motion for extension of time to reply to the motion to dismiss (Rec. Doc. 13) seeking an additional 45 days to respond due to his own medical issues which was denied due to its deficiency. (Rec. Doc. 14, 19).

² This Court notes that, generally, motions for leave to file an amended complaint must be accompanied by the proposed amended pleading. Local Rule 7.6.

2010). It is further

ORDERED that Satterfield may file its amended complaint on or before FRIDAY, MAY 19, 2023. It is finally

ORDERED that Robinson may renew its motion, if appropriate, after the filing of any amended complaint by Satterfield. Robinson may adopt the arguments contained in its first motion by reference and may supplement such arguments, if appropriate. Should Robinson file such renewed motion to dismiss, Satterfield shall file any desired opposition within TEN DAYS of such filing. Robinson may file any desired reply within SEVEN DAYS of the filing of any opposition by Satterfield.

Signed at Lafayette, Louisiana on this 18th day of April, 2023.



DAVID J. AYO
UNITED STATES MAGISTRATE JUDGE